

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (Pittsburgh)**

Wade R. Croyle	:	
	:	<b>: CHAPTER 7</b>
	:	<b>: CASE NO: 20-21126-GLT</b>
	:	
Debtor,	:	<b>: 11 U.S.C. § 362(d)</b>
	:	
US Bank Trust National Association, not in its Individual Capacity But Solely as Owner Trustee for VRMTG Asset Trust	:	
	:	
Movant	:	
v.	:	
	:	
Wade R. Croyle	:	
Debtor	:	<b>: Responses Due: June 3, 2023</b>
and	:	
	:	
Rosemary C. Crawford, Esq.	:	
Trustee	:	
	:	
Respondents	:	
	:	

**NOTICE OF HEARING AND RESPONSE DEADLINE REGARDING  
MOTION OF US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS  
INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG  
ASSET TRUST FOR RELIEF FROM THE AUTOMATIC STAY UNDER SECTION 362**

TO THE RESPONDENT(S):

You are hereby notified that the above Movant seeks an order affecting your rights or property.

You are further instructed to file with the Clerk and serve upon the undersigned attorney for Movant, a response to the Motion by no later than **June 3, 2023** (i.e. seventeen (17) days after the date of service below), in accordance with the Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and the general procedures of the presiding judge as found on the Court's web page at [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov). If you fail to timely file and serve a written response, an Order granting the relief requested in the Motion may be entered and the hearing may not be held. Please refer to the calendar on the Court's web page to verify if a default order was signed or if the hearing will go forward as scheduled.

You should take this Notice and the Motion to a lawyer at once.

An in-person hearing will be held on **June 22, 2023** at 10:00 a.m. before Judge Gregory L. Taddonio in Courtroom A, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, Pennsylvania 15219. In accordance with Judge Taddonio's procedures, parties may appear for non-evidentiary matters remotely by utilizing the Zoom video conference platform. Parties seeking to appear remotely must register for the hearing by submitting a registration form via the link published on Judge Taddonio's website (which can be found at <http://www.pawb.uscourts.gov/judge-taddonios-video-conference-hearing-information>) by no later than **4 p.m. on the business day** prior to the scheduled hearing. All parties participating remotely shall comply with Judge Taddonio's General Procedures, (which can be found at <http://www.pawb.uscourts.gov/sites/default/files/pdfs/glt-proc.pdf>).

**Parties who fail to timely register for remote participation will be expected to attend the hearing in person.**

Only a limited time of ten (10) minutes is being provided on the calendar. No witnesses will be heard. If there is an issue of fact, an evidentiary hearing will be scheduled by the Court for a later date.

Date of Service: May 17, 2023

**/s/Brian E. Caine, Esq.**

Brian E. Caine, Esq., PA Bar No. 86057

PARKER McCAY P.A.

*Attorney for Movant, US Bank Trust National  
Association, not in its Individual Capacity*

*but Solely as Owner Trustee for VRMTG Asset Trust*

9000 Midlantic Drive, Suite 300

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[bcaine@parkermccay.com](mailto:bcaine@parkermccay.com)

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FOR THE WESTERN DISTRICT OF PENNSYLVANIA (Pittsburgh)**

Wade R. Croyle	:	: <b>CHAPTER 7</b>
	:	: <b>CASE NO: 20-21126-GLT</b>
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Debtor,	:	: <b>11 U.S.C. § 362(d)</b>
	:	:
US Bank Trust National Association, not	:	:
in its Individual Capacity But Solely as	:	:
Owner Trustee for VRMTG Asset Trust	:	: Date and Time of Hearing:
	:	: June 22, 2023 at 10:00 a.m.
Movant	:	:
v.	:	:
	:	:
Wade R. Croyle	:	: Responses Due: June 3, 2023
Debtor	:	:
and	:	:
	:	:
Rosemary C. Crawford, Esq.	:	:
Trustee	:	:
	:	:
Respondents	:	:
	:	:

**CERTIFICATE OF SERVICE OF MOTION OF US BANK TRUST NATIONAL  
ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER  
TRUSTEE FOR VRMTG ASSET TRUST FOR RELIEF FROM THE AUTOMATIC  
STAY UNDER SECTION 362 AND NOTICE OF HEARING AND RESPONSE  
DEADLINE**

I, Brian E. Caine, Esq. certify under penalty of perjury that I served the above  
captioned pleading on the parties at the addresses specified below on May 17, 2023:

**SERVICE BY Notice of Electronic Filing:**

Brian C. Thompson, Esq.  
Thompson Law Group, P.C.  
125 Warrendale Bayne Road  
Suite 200  
Warrendale, PA 15086  
(*bthompson@ThompsonAttorney.com*)

*U.S. Trustee*  
Office of the United States Trustee  
Liberty Center.  
1001 Liberty Avenue, Suite 970  
Pittsburgh, PA 15222  
(ustpreregion03.pi.ecf@usdoj.gov)

Rosemary C. Crawford, Esq.  
Crawford McDonald, LLC.  
P.O. Box 355  
Allison Park, PA 15101  
(crawfordmcdonald@aol.com)

**SERVICE BY First-Class Mail:**

Wade R. Croyle  
2380 Delo Drive  
Gibsonia, PA 15044  
**DEBTOR**

EXECUTED ON: May 17, 2023

**/s/Brian E. Caine, Esq.**  
Brian E. Caine, Esq., PA Bar No. 86057  
PARKER McCAY P.A.  
*Attorney for Movant, US Bank Trust National  
Association, not in its Individual Capacity  
but Solely as Owner Trustee for VRMTG Asset Trust*  
9000 Midlantic Drive, Suite 300  
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**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (Pittsburgh)**

Wade R. Croyle

Debtor,

US Bank Trust National Association, not  
in its Individual Capacity But Solely as  
Owner Trustee for VRMTG Asset Trust

Movant

V.

Wade R. Croyle

Debtor

and

Rosemary C. Crawford, Esq.  
Trustee

## Respondents

**MOTION OF US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS  
INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR VRMTG  
ASSET TRUST FOR RELIEF FROM THE AUTOMATIC STAY UNDER SECTION 362**

Movant, by its Attorneys, Parker McCay P.A, hereby requests termination of the automatic stay as to 2380 Delo Drive, Gibsonia, PA 15044, and avers as follows:

1. Movant is US Bank Trust National Association, not in its Individual Capacity But Solely As Owner Trustee for VRMTG Asset Trust (“Movant”).
2. Debtor Wade R. Croyle is the owner of the property located at 2380 Delo Drive, Gibsonia, PA 15044 (“Property”), and said Property appears in the Debtor’s Schedule A/B.
3. Movant is the holder of a first lien position mortgage dated May 18, 2011 in the original principal amount of \$177,000.00 which is secured by the Property. Said mortgage was

recorded on June 2, 2011 at Instrument Number 2011-46148 in the Allegheny County, PA land records.

4. The Mortgage was subsequently assigned to the Movant by way of Assignment of Mortgage dated March 1, 2022 and recorded on March 23, 2022 as Document Number 2022-24429 in the Allegheny County land records.
5. NewRez LLC f/k/a Shellpoint Mortgage Servicing services the loan on the Property referenced in this Motion. In the event the automatic stay in this case is terminated, or if this case dismisses, and/or the Debtor obtains a discharge and a foreclosure action is commenced or continued on the mortgaged property, the foreclosure will be conducted in the name of Movant or Movant's successor or assignee. Movant, directly or through an agent, has possession of the Note. The Note is either made payable to Movant or has been duly indorsed.
6. Movant seeks relief from stay, for cause, due to Debtor's failure to make the monthly payment required under the terms of the Mortgage.
7. The payoff due on the Mortgage is approximately \$193,257.31 as of May 3, 2023.
8. Debtor has failed to make the monthly payments of each due January 1, 2022 through May 1, 2023.
9. The reinstatement amount is approximately \$39,215.68 as of May 3, 2023; which includes 17 monthly mortgage payments totaling \$26,772.23, fees of \$7,898.88, escrow deficiency of \$5,006.10 minus a suspense balance of \$461.53.
10. The fair market value of the Property is \$523,700 according to Zillow.com.
11. Movant has cause to have the automatic stay terminated so as to permit Movant to pursue its rights and remedies under the subject loan documentation.

12. Respondent, Rosemary C. Crawford, Esq. is the Trustee appointed by the Honorable Court.
13. This motion and the averments contained therein do not constitute a waiver by the Moving Party of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant respectfully requests that this Court enter an Order terminating the Automatic Stay under Section 362 with respect to the Property, along with all other relief the Court deems just and equitable under the circumstances.

Date: May 17, 2023

**/s/Brian E. Caine, Esq.**

Brian E. Caine, Esq., PA Bar No. 86057

PARKER McCAY P.A.

*Attorney for Movant, US Bank Trust National  
Association, not in its Individual Capacity*

*but Solely as Owner Trustee for VRMTG Asset Trust*

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Wade R. Croyle

Debtor,

US Bank Trust National Association, not  
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Owner Trustee for VRMTG Asset Trust

Movant

V.

Wade R. Croyle

Debtor

and

Rosemary C. Crawford, Esq.  
Trustee

## Respondents

**:  
: CHAPTER 7  
: CASE NO: 20-21126-GLT**

**: 11 U.S.C. § 362(d)**

: Date and Time of Hearing:  
: June 22, 2023 at 10:00 a.m.

: Responses Due: June 3, 2023

: Motion for Relief from Stay

## ORDER MODIFYING §362 OF THE AUTOMATIC STAY

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, upon Motion for Relief from the Automatic Stay filed by US Bank Trust National Association, not in its Individual Capacity But Solely As Owner Trustee for VRMTG Asset Trust, it is

**ORDERED THAT:** The Automatic Stay of all proceedings, as provided under 11 U.S.C. Section 362 of the Bankruptcy Code, is modified with respect to the subject premises located at 2380 Delo Drive, Gibsonia, PA 15044 (“Property”), so as to allow Movant, its successors or assignees, to proceed with its rights and remedies under the terms of the subject Mortgage and pursue its in rem State Court remedies, including but limited to foreclose on its mortgage or take any legal or consensual action for enforcement of its right to possession of, or title to the Property, in addition to potentially pursuing other loss mitigation alternatives including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property; and it is further;



**ORDERED** that the Federal Rule of Bankruptcy Procedure 4001(a)(3) waiting period is hereby waived and the Movant may immediately enforce this Order.

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GREGORY L. TADDONIO  
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT  
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Debtor	:	
and	:	
	:	
Rosemary C. Crawford, Esq.	:	Motion for Relief from Stay
Trustee	:	
	:	
Respondents	:	
	:	

**DEFAULT ORDER ON MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

This \_\_\_\_\_ day of , \_\_\_\_\_ 2023, upon default, no response objecting to the Motion having been timely filed by an interested party, and upon Movant's Certification of Service and Certification of No Objection, it is

**ORDERED** that the above-captioned Motion is granted insofar as it requests relief from the Automatic Stay imposed by 11 U.S.C. Section 362, with respect to premises 2380 Delo Drive, Gibsonia, PA 15044.

Movant shall, within five (5) days hereof, serve a copy of the within Order on parties in interest (unless they are otherwise served) and file a Certificate of Service.

\_\_\_\_\_  
GREGORY L. TADDONIO  
UNITED STATES BANKRUPTCY JUDGE